

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 6289 OF 2007

DATED: 29.3.2007

Between:

Syed Iqbal and others

.Petitioners

and

Municipal Corporation of Hyderabad, rep. By its Commissioner and another

...Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.6289 OF 2007

ORAL ORDER:

The writ petition is filed by the six (6) petitioners alleging that the respondents are refusing even to receive the petitioners' application for grant of building permits for construction of houses in property bearing Nos.10-5-/8/G, 10-5-2/7/5/A, 10-5-2/7/G/1, 10-5-2/7G, 10-5-2/7/A&B and 10-5-2/7/G/3/2, Masab tank Hyderabad without accompanying "No Objection Certificate" (NOC) from the Collector.

Smt K.Ekbote, the learned Standing Counsel for the respondent-Municipality states that the respondents may not and cannot insist on as NOC and that the respondents are bound to receive every application for a building permit whether it is in order or wholly defective and are also obligated and pass on a receipt of having received such an application. The learned Standing Counsel would submit that on receipt of every application, if the application be defective for any reasons the respondents may communicate to the applicant an order setting out reasons why the application cannot be considered but the respondents are in any event not authorized to refuse to receive any application, being a public authority.

In view of the assertions made and in view of the settled legal position the respondents are directed to receive the application of the petitioners for grant of a building permit. The petitioners are also at liberty to send such application for grant

of building permit to the respondents by registered post with acknowledgment due.

With the above observation the writ petition is disposed of at the stage of admission. No order as to costs.

GODA RAGHURAM,J

29th MARCH,2007
*TSNR